IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

WP(C).No. 23029 of 2007(N)

PETITIONER:

K.PANKAJAKSHAN, RETD. DRIVER, KSRTC,
MAVUNKAL VEEDU, PUNNAPRA P.O., ALAPPUZHA.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:
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1. KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT P.O.,
THIRUVANANTHAPURAM REPRESENTED BY ITS MANAGING DIRECTOR.

2. PRINCIPAL ADVISOR/CHIEF ACCOUNTS OFFICER
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 23029 OF 2007 N

Dated this the 11th September, 2007

JUDGMENT

Petitioner who retired on 31.1.2005 as Driver from the service of the first respondent Corporation, has approached this Court seeking to quash Ext.P4 and to direct the respondents to release the Gratuity and Commutation amounts to the petitioner at the earliest. According to petitioner, funds are urgently needed in connection with the treatment of his wife. Petitioner has produced Ext.P1 Certificate issued by the Doctor. Petitioner had approached this Court earlier and by Ext.P2, this Court directed consideration of his representation. Petitioner filed Ext.P3. Ext.P4 is the order passed holding that the request for release of retiral benefits cannot be considered as except for a specific order from the High Court, the Corporation does not intend to violate the seniority norms. Heard the learned standing counsel appearing for the respondent Corporation also. Petitioner was given opportunity to produce material to show

that funds are required urgently and the exact amount of funds required. But, it was not produced so far. Learned counsel for petitioner submits that the petitioner will be able to produce documents before the respondent Corporation and the Corporation may look into the matter. In such circumstances, the Writ Petition is disposed of directing that if the petitioner produces sufficient material to the satisfaction of the first respondent to show that funds are urgently required, the first respondent will consider the matter and take an appropriate decision for payment of the money in deviation from seniority norms. A decision in this regard will be taken within a period of one month from the date of production of any material in this regard by the petitioner.

K. M. JOSEPH, JUDGE

kbk.